

IN THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, MARYLAND

IN RE:

ESTATE OF CALDWELL MCMILLAN, SR.

Estate No.: 24984

OFFICIAL TRANSCRIPT OF PROCEEDINGS
(Hearing)

Annapolis, Maryland

Tuesday, October 31, 2017

BEFORE:

HONORABLE NANCY C. PHELPS, CHIEF JUDGE
HONORABLE ALAN M. RZEPKOWSKI, JUDGE
HONORABLE MAUREEN CARR-YORK, JUDGE

APPEARANCES:

For the Estate:

CALDWELL MCMILLAN, JR., PRO SE

For Elizabeth McMillan-McCartney:

SUVITA MELEHY, ESQUIRE

Electronic Proceedings Transcribed by: William J. Garling

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EXHIBIT
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1 telling this Court that the estates should pay for work that
2 she did for Silmac -- they're two separate entities -- when
3 she knows that the estates were only shareholders in Silmac
4 and were afforded certain protections by doing things as a
5 corporation.

6 A corporation's shareholders are not liable for
7 any debts incurred or judgments handed down against the
8 corporations. The shareholders only risk their equity in
9 the corporation.

10 So, over 28 years, this is a lot of work. No, I
11 didn't charge anything. **I didn't charge anything, but, yes,**
12 **I could have charged, but I didn't.** You know, that's why
13 the Court provided -- I mean, that's why the statute
14 provides personal representatives' commissions for the work
15 that you've done.

16 And I said, Well, I'm going to get my PR
17 commissions, plus, I'm going to charge \$40 an hour on --
18 well, even -- anyway, that's what I have to say about that.

19 THE COURT: Did you, Mr. Caldwell -- or
20 Mr. McMillan --

21 MR. MCMILLAN: Uh-huh.

22 THE COURT: -- agree to the payment to your sister
23 of \$40 an hour for time she expended on the --

24 MR. MCMILLAN: No, definitely not.

25 THE COURT: -- estate in November of 1990?

1 MR. MCMILLAN: No, no, that's just made up.
2 That's just made up. The meeting that -- I remember one
3 meeting where they appointed her, the two lawyers, because
4 since she was a lawyer -- is a lawyer -- was -- is a
5 lawyer -- was a lawyer at that time, that they felt that she
6 should be the president and treasurer of Silmac, plus, they
7 have her in their back pocket. You know both of them were
8 claimants of -- anyway ...

9 Okay. That's my argument on why I should, because
10 of all the work that I have done.

11 THE COURT: Okay. Thank you.

12 We're going to start -- keep on that one and we'll
13 deal with the exceptions next.

14 MS. MELEHY: Well, Your Honor, may I ask Mr.
15 McMillan some questions? I know -- I'm not sure where --

16 THE COURT: We can put Mr. McMillan on the stand.

17 MS. MELEHY: Yes, please.

18 THE COURT: Mr. McMillan, will you take the
19 witness stand, please, and recall that you have been sworn
20 as a witness and you are under oath.

21 Whereupon,

22 CALDWELL MCMILLAN, JR.,

23 a witness produced on call of the Legatee, previously having
24 been duly sworn according to law, was examined and testified
25 as follows:

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